

DOA
11-03-17

UNITED STATES DISTRICT COURT

for the
District of Arizona

United States of America
v.
Candelario Roman-Nino,
a.k.a.: Candelario Roman Nino,
a.k.a.: Candelario Roman Roman-Nino,
(A201 021 786)
Defendant

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Case No. 17-7539 MJ

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of November 2, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:


Candelario Roman-Nino, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Tucson, Arizona on or about August 3, 2011, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1). I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated by Reference Herein

REVIEWED BY: AUSA Brandon Brown for AUSA Kathy J. Lemke

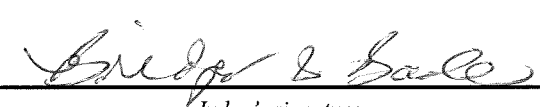
☒ Continued on the attached sheet.


Complainant's signature

Steven T. Case,
Deportation Officer
Printed name and title

Sworn to before me and signed in my presence.

Date: November 3, 2017


Judge's signature

City and state: Phoenix, Arizona

Bridget S. Bade,
United States Magistrate Judge
Printed name and title

STATEMENT OF PROBABLE CAUSE

I, Steven T. Case, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On November 2, 2017, Candelario Roman-Nino was booked into the Maricopa County Jail (MCJ) facility by the Phoenix Police Department on local charges. While in custody at the MCJ, Roman-Nino was encountered by ICE Officer R. Silva who determined him to be a citizen of Mexico, illegally present in the United States. On November 2, 2017, an immigration detainer was lodged with the county jail. On November 3, 2017, Roman-Nino was released from the MCJ and transported to the Phoenix ICE office for further investigation and processing. Roman-Nino was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Candelario Roman-Nino to be a citizen of Mexico and a previously deported criminal alien. Roman-Nino was removed from the United States to Mexico at or near Tucson, Arizona on or about August 3, 2011,

pursuant to the reinstatement of an order of removal issued by an immigration judge. There is no record of Roman-Nino in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Roman-Nino's immigration history was matched to him by electronic fingerprint comparison.


4. Criminal history checks revealed that Candelario Roman-Nino was convicted of Aggravated Driving Under the Influence of Intoxicating Liquor or Drugs, a felony offense, on October 22, 2010, in the Superior Court of Arizona, Maricopa County. Roman-Nino was sentenced to four (4) months' incarceration and two (2) years' probation.
5. On November 3, 2017, Candelario Roman-Nino was advised of his constitutional rights. Roman-Nino freely and willingly acknowledged his rights and declined to make any further statements.
6. For these reasons, this affiant submits that there is probable cause to believe that on or about November 2, 2017, Candelario Roman-Nino, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Tucson, Arizona on or about August 3, 2011, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply

for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).



Steven T. Case,
Deportation Officer,
Immigration and Customs Enforcement

Sworn to and subscribed before me
this 3rd day of November, 2017.



Bridget S. Bade,
United States Magistrate Judge